

NORTH ATLANTIC

TOWERS



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF NORTH ATLANTIC TOWERS, LLC
AND NEW CINGULAR WIRELESS PCS, LLC (AT&T)
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR THE
CONSTRUCTION, MAINTENANCE AND OPERATION OF A
TELECOMMUNICATIONS TOWER FACILITY AT ONE OF
TWO SITES LOCATED AT 171 SHORT BEACH ROAD IN
THE TOWN OF BRANFORD *OR* 82 SHORT BEACH ROAD IN
THE TOWN OF EAST HAVEN

DOCKET NO. _____

April 23, 2012

APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

North Atlantic Towers, LLC
1001 3rd Avenue West, Suite 420
Bradenton, Florida 34205

AND

New Cingular Wireless PCS, LLC (“AT&T”)
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Rocky Hill, Connecticut 06067

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¹ Copies of the Technical Reports submitted to the Towns are included in the Bulk Filing.

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**APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

I. Introduction

A. Purpose and Authority

Pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes (“CGS”), as amended, and Sections 16-50j-1 et seq. of the Regulations of Connecticut State Agencies (“RCSA”), as amended, North Atlantic Towers, LLC and New Cingular Wireless PCS, LLC (AT&T), collectively, the “Applicants”, hereby submit an application and supporting documentation (collectively, the “Application”) for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless communications facility (the “Facility”) at one of two sites located at 171 Short Beach Road in the Town of Branford, or, 82 Short Beach Road in the Town of East Haven. The proposed Facility is a necessary component of AT&T’s wireless network and its provision of personal wireless communications services and will allow service to be provided in the western portion of Branford and the eastern portion of East Haven along the shoreline. Verizon Wireless has also expressed interest in the proposed Facility to provide its services to this area.

B. Executive Summary

In 2005 and independent of North Atlantic Towers, AT&T issued a site search ring centered in the western part of Branford along the shoreline. AT&T's principal coverage objective as part of this site search spanned both the western part of Branford and eastern part of East Haven along the shoreline and including Route 142. After having conducted a site search and confirming that no existing facilities could be utilized to provide service to this area, AT&T agreed to pursue the investigation and development of a new tower site for this area with North Atlantic Towers.

Of note, and as part of AT&T's search for sites to provide service to the shoreline areas of Branford and East Haven, it learned of T-Mobile's separate proposal for a tower facility on Pine Orchard Drive and Verizon's separate proposal for a facility at Leetes Island Road to provide service to eastern areas of Branford along the shoreline. After evaluating those proposed tower sites, AT&T intervened in T-Mobile's Docket 386 and Verizon's Docket 413 and has plans to use both tower sites to provide needed services to areas in Branford east of the search area that is the subject of this Application. In fact, the Facility proposed in this Docket will work in conjunction with these approved facilities and other existing AT&T sites to the north and west.

As a wireless infrastructure provider, North Atlantic Towers uses its overall knowledge and understanding of existing wireless carriers' networks and/or direct consultation with individual carriers to identify areas where wireless services are unreliable. Through this knowledge of networks and consultation with carriers, North Atlantic Towers was aware that wireless coverage in the shoreline area of western Branford and eastern East Haven suffers from significant gaps in service due to the overall lack of wireless infrastructure in this area of the State. Thus, in July of 2009, North Atlantic Towers commenced a review of siting options for providing service to this area in consultation with AT&T.

Given the lack of available existing structures in this area of the State, North Atlantic Towers and AT&T focused on potential properties on which a new tower could be constructed to provide

wireless services to the public. The area is principally residential in nature and proximate to Tweed New Haven Airport to the west in East Haven. Many of the properties presented by North Atlantic Towers and AT&T's real estate personnel for consideration were rejected by AT&T's radiofrequency engineers as possible tower sites. North Atlantic Towers also investigated several locations suggested by the Town of Branford, including a Town-owned parcel, which is the site of the Orchard House. However, the Town of Branford rejected this Town-owned parcel as a possible wireless facility site location.

North Atlantic Towers subsequently leased property at 171 Short Beach Road, an approximately 0.87 acre parcel improved with an approximately 6,500 square-foot commercial building and paved parking area. In July of 2010, the Applicants commenced a municipal consultation process with the Town of Branford regarding the proposed Facility at 171 Short Beach Road in Branford. During this municipal consultation process, the Town of Branford suggested several alternative sites, including another Town-owned location that was formerly the site of an elementary school, other private properties and locations within the Town of East Haven.

The Applicants evaluated all of the locations suggested by the Town of Branford and determined that one of the suggested locations at the East Haven Riverside Volunteer Fire Department (the East Haven Fire Department) was a viable alternative. Accordingly, North Atlantic Towers leased the East Haven Fire Department site, an approximately 0.91 acre parcel located at 82 Short Beach Road. The Applicants then proceeded with plans for a tower at the East Haven Fire Department as an alternative site.

In June of 2011, the Applicants commenced a second or updated municipal consultation process with both the Town of East Haven and the Town of Branford regarding the proposed Facility at the East Haven Fire Department. As the Siting Council will recall, Hurricane Irene impacted the area on August 27, 2011 and left behind a path of destruction in coastal areas of the State. The Applicants deferred continued consultation on the East Haven Fire Department site for a period of

time given the significance of Hurricane Irene impacts in Branford and East Haven. The Applicants did continue their due diligence review of the East Haven Fire Department site which included consultation with the State Historic Preservation Officer (the "SHPO"), a consultation that resulted in a redesign of the proposed Facility. Thereafter, the municipal consultation process was reactivated at the end of February 2012 with the submission of information regarding the redesigned East Haven Fire Department Facility and the scheduling of a community meeting in East Haven to discuss the proposed Facility on March 15, 2012.

The search for viable sites by the Applicants has taken place over the past several years including numerous municipal consultations with the Towns of Branford and East Haven. This Application includes two alternatives for consideration by the Siting Council for providing service to a coverage gap in AT&T's network that spans both communities. Either site location proposed in this Application will effectively serve this area of the State.

The proposed Branford alternative, or "Branford Site" is an approximately 0.87 acre parcel located at 171 Short Beach Road improved with an approximately 6,500 square-foot commercial building and paved parking area. This parcel abuts larger undeveloped land to the north. The proposed Branford Facility consists of a new 120' monopole and associated unmanned equipment. AT&T will install up to twelve (12) panel antennas on a low profile platform at a centerline height of 120' above grade level ("AGL"). The tower compound will consist of a 50' x 50' fenced area to accommodate AT&T's 12' x 20' radio equipment shelter and a 4' x 11' concrete pad for AT&T's emergency generator. Vehicular access to the Facility will extend north-westerly from Short Beach Road along an existing access drive approximately 240' to the proposed compound located in the northern corner of the property. Utilities to serve the proposed Facility would extend from existing utilities adjacent to the proposed compound area.

The proposed East Haven alternative, or "East Haven Site" is an approximately 0.91 acre parcel located at 82 Short Beach Road improved with the East Haven Fire Department building and

paved parking area. The proposed East Haven Facility consists of a new 103' tall monopole and associated unmanned equipment. AT&T will install up to twelve (12) panel antennas on a low profile platform at a centerline height of 100' AGL. The tower compound will consist of a 2,500 square-foot fenced area to accommodate AT&T's 12' x 20' radio equipment shelter and a 4' x 11' concrete pad for AT&T's emergency generator. Vehicular access to the Facility will extend south from Short Beach Road along the western side of the existing parking lot a distance of approximately 150'. Utilities to serve the proposed Facility at the East Haven Site would extend from existing utilities on Short Beach Road.

This Application and its accompanying attachments include reports, plans and visual materials detailing two alternatives for consideration by the Siting Council. A copy of the Council's Community Antennas Television and Telecommunication Facilities Application Guide with page references from this Application is also included in Attachment 9.

C. The Applicants

The Applicant, Florida Tower Partners d/b/a North Atlantic Towers, LLC, is a Delaware limited liability company with an office at 1001 3rd Ave West, Suite 420, Bradenton, Florida 34205. North Atlantic Towers will construct and maintain the proposed Facility and be the Certificate Holder. The Applicant, New Cingular Wireless PCS, LLC (AT&T), is a Delaware limited liability company with an office at 500 Enterprise Drive, Rocky Hill, Connecticut 06067. The company's member corporation is licensed by the Federal Communications Commission (FCC) to construct and operate a personal wireless services system, which has been interpreted as a "cellular system", within the meaning of CGS Section 16-50i(a)(6). The company does not conduct any other business in the State of Connecticut other than the provision of personal wireless services under FCC rules and regulations.

Correspondence and/or communications regarding this Application shall be addressed to the attorneys for the applicants:

Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
(914) 761-1300
Attention: Christopher B. Fisher, Esq.
Lucia Chiocchio, Esq.

A copy of all correspondence shall also be sent to:

North Atlantic Towers, LLC
1001 3rd Ave West, Suite 420
Bradenton, Florida 34250
Attention: Randy Howse

AT&T
500 Enterprise Drive
Rocky Hill, Connecticut 06067
Attention: Michele Briggs

D. Application Fee

Pursuant to RCSA Section 16-50v-1a(b), a check made payable to the Siting Council in the amount of \$1,250 accompanies this Application.

E. Compliance with CGS Section 16-50l(c)

North Atlantic Towers, LLC and AT&T are not engaged in generating electric power in the State of Connecticut. As such, the proposed Facility is not subject to Section 16-50r of the Connecticut General Statutes. Furthermore, the proposed Facility has not been identified in any annual forecast reports, therefore the proposed Facility is not subject to Section 16-50l(c).

II. Service and Notice Required by CGS Section 16-50l(b)

Pursuant to CGS Section 16-50l(b), copies of this Application have been sent by certified mail, return receipt requested, to municipal, regional, State, and Federal officials. A certificate of service, along with a list of the parties served with a copy of the Application is included in Attachment 7. Pursuant to CGS 16-50l(b), notice of the Applicants' intent to submit this application was published on two occasions in The Sound, the paper utilized for publication of planning and zoning notices in Branford, the East Haven Courier, the paper utilized for publication of planning and zoning notices in East Haven and The New Haven Register, which serves both communities. A copy of the published legal notice is included in Attachment 8. The publishers' affidavits of publication will be forwarded upon receipt. Further, in compliance with CGS 16-50l(b), notices were sent to

each person appearing of record as owner of a property which abuts each of the proposed alternative sites on which the Facility is proposed. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are included in Attachment 8.

III. Statements of Need and Benefits

A. Statement of Need

1. United States Policy & Law

United States policy and laws continue to support the growth of wireless networks. In 1996, the United States Congress recognized the important public need for high quality wireless communications service throughout the United States in part through adoption of the Telecommunications Act (the “Act”). A core purpose of the Act was to “provide for a competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies to all Americans.” H.R. Rep. No. 104-458, at 206 (1996) (Conf. Rep.). With respect to wireless communications services, the Act expressly preserved state and/or local land use authority over wireless facilities, placed several requirements and legal limitations on the exercise of such authority, and preempted state or local regulatory oversight in the area of emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In essence, Congress struck a balance between legitimate areas of state and/or local regulatory control over wireless infrastructure and the public’s interest in its timely deployment to meet the public need for wireless services.

Sixteen years later, it remains clear that the current White House administration, The Congress and the FCC continue to take a strong stance and act in favor of the provision of wireless service to all Americans. In December 2009, President Obama issued Proclamation 8460 which included wireless facilities within his definition of the nation’s critical infrastructure and declared in part:

Critical infrastructure protection is an essential element of a resilient and secure nation. Critical infrastructure are the assets, systems, and networks, whether physical or virtual, so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, public health or safety. From water systems to computer networks, power grids to cellular phone towers, risks to critical infrastructure can result from a complex combination of threats and hazards, including terrorist attacks, accidents, and natural disasters.¹

President Obama further identified the critical role of robust mobile broadband networks in his 2011 State of the Union address.² In 2009, The Congress directed the FCC to develop a national broadband plan to ensure that every American would have access to “broadband capability” whether by wire or wireless. What resulted in 2010 is a document entitled “Connecting America: The National Broadband Plan” (the “Plan”).³ Although broad in scope, the Plan’s goal is undeniably clear:

[A]dvance consumer welfare, civic participation, public safety and homeland security, community development, health care delivery, energy independence and efficiency, education, employee training, private sector investment, entrepreneurial activity, job creation and economic growth, and other national purposes.⁴ [internal quotes omitted]

The Plan notes that wireless broadband access is growing rapidly with “the emergence of broad new classes of connected devices and the rollout of fourth-generation (4G) wireless technologies such as Long Term Evolution (LTE) and WiMAX.”⁵ A specific goal of the Plan is that “[t]he United States should lead the world in mobile innovation, with the fastest and most extensive wireless networks of any nation.”⁶ About a year ago, the FCC issued a Notice of Inquiry concerning the best practices available to achieve wide-reaching broadband capabilities across the nation including better wireless

¹ Presidential Proclamation No. 8460, 74 C.F.R. 234 (2009).

² Cong. Rec. H459 (Jan. 25, 2011), also *available at* <http://www.whitehouse.gov/the-press-office/2011/01/25/remarks-president-state-union-address>. Specifically the President stressed that in order “[t]o attract new businesses to our shores, we need the fastest, most reliable ways to move people, goods, and information—from high-speed rail to high-speed Internet.”

³ Connecting America: The National Broadband Plan, Federal Communications Commission (2010), *available at* <http://www.broadband.gov/plan/>.

⁴ *Id.* at XI.

⁵ *Id.* at 76.

⁶ *Id.* at 25.

access for the public.⁷ The public need for timely deployment of wireless infrastructure is further supported by the FCC's Declaratory Ruling interpreting § 332(c)(7)(B) of the Telecommunications Act and establishing specific time limits for decisions on land use and zoning permit applications.⁸ More recently, the critical importance of timely deployment of wireless infrastructure to American safety and economy was confirmed in the Middle Class Tax Relief and Job Creation Act of 2012, which included a provision, Section 6409, that preempts a discretionary review process for eligible modifications of existing wireless towers or base stations.⁹

2. United States Wireless Usage Statistics

Over the past thirty years, wireless communications have revolutionized the way Americans live, work and play.¹⁰ The ability to connect with one another in a mobile environment has proven essential to the public's health, safety and welfare. As of June 2011, there were an estimated 322.9 million wireless subscribers in the United States.¹¹ At the same time, wireless network data traffic was reported at 341.2 billion megabytes, which represents a 111% increase from the prior year.¹² Other statistics provide an important sociological understanding of how critical access to wireless services has become. In 2005, 8.4% of households in the United States had cut the cord and were

⁷ FCC 11-51: Notice of Inquiry, In the Matter of Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving Policies Regarding Public Rights of Way and Wireless Facilities Siting, available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2011/db0407/FCC-11-51A1.pdf.

⁸ WT Docket No. 08-165- Declaratory Ruling on Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review and to Preempt Under Section 253 State and Local Ordinances that Classify All Wireless Siting Proposals as Requiring a Variance ("Declaratory Ruling").

⁹ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §6409 (2012), available at <http://gpo.gov/fdsys/pkg/BILLS-112hr3630enr/pdf/BILLS-112hr3630enr.pdf>; see also H.R. Rep. No. 112-399 at 132-33 (2012)(Conf. Rep.), available at <http://www.gpo.gov/fdsys/pkg/CRPT-112hrpt399/pdf/CRPT-112hrt399.pdf>.

¹⁰ See, generally, History of Wireless Communications, available at http://www.ctia.org/media/industry_info/index.cfm/AID/10388 (2011)

¹¹ CTIA's Wireless Industry Indices: Semi-Annual Data Survey Results, A Comprehensive Report from CTIA Analyzing the U.S. Wireless Industry, Mid-Year 2011 Results (Semi-Annual Data Survey Results). See also, "CTIA-The Wireless Association Semi-Annual Survey Reveals Historical Wireless Trend" available at <http://www.ctia.org/media/press/body.cfm/prid/2133>.

¹² Id.

wireless only.¹³ By 2010, that number grew exponentially to an astonishing 26.6% of all households.¹⁴ Connecticut in contrast lags behind in this statistic with 13.6% wireless only households.¹⁵ These trends continue with many individuals simply foregoing landline service, a pattern potentially accelerated by the country's recent economic downturn.¹⁶ Indeed, national data suggests that many households can no longer afford both landline and wireless services and have elected in times of economic hardship to select wireless as their only mode of voice communications.¹⁷

Wireless access has also provided individuals a newfound form of safety. Today, approximately 70% of *all* 9-1-1 calls made each year come from a wireless device.¹⁸ Parents and teens have also benefited from access to wireless service. In a 2010 study conducted by Pew Internet Research, 78% of teens responded that they felt safer when they had access to their cell phone.¹⁹ In the same study, 98% of parents of children who owned cell phones stated that the main reason they have allowed their children with access to a wireless device is for the safety and protection that these devices offer.²⁰

Wireless access to the internet has also grown exponentially since the advent of the truly “smartphone” device. Cisco reported in 2011 that global mobile data traffic grew in 2010 at a rate

¹³ CTIA Fact Sheet (2010), *available at* http://www.ctia.org/media/industry_info/index.cfm/AID/10323 *citing* Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, January - June 2010, National Center for Health Statistics, December 2010 Fact Sheet

¹⁴ CTIA Fact Sheet

¹⁵ CTIA Fact Sheet

¹⁶ Gina Kim, *Wireless v. Landline: A Cultural Question*, THE CHICAGO TRIBUNE, Jul. 30, 2009, *available at* http://articles.chicagotribune.com/2009-07-30/news/0907290726_1_landline-cell-phone-wireless-only

¹⁷ Stephen J. Blumberg, Ph.D., and Julian V. Luke, Division of Health Interview Statistics, National Center for Health Statistics; Nadarajasundaram Ganesh, Ph.D., and Michael E. Davern, Ph.D., NORC at the University of Chicago; and Michel H. Boudreaux, M.S., and Karen Soderberg, M.S., State Health Access Data Assistance Center, University of Minnesota, “Wireless Substitution: State-level Estimates From the National Health Interview Survey, January 2007–June 2010”, National Health Statistics Report, Number 39, April 20, 2011.

¹⁸ Wireless 911 Services, FCC, *available at* <http://www.fcc.gov/guides/wireless-911-services>

¹⁹ Amanda Lenhart, *Attitudes Towards Cell Phones*, Pew Research, *available at* <http://www.pewinternet.org/Reports/2010/Teens-and-Mobile-Phones/Chapter-3/Overall-assessment-of-the-role-of-cell-phones.aspx>

²⁰ *Id.*

faster than anticipated and nearly tripling again for the third year in a row.²¹ It was noted in 2010, mobile data traffic alone was three times greater than all global Internet traffic in 2000. Indeed, with the recent introduction of tablets and netbooks to the marketplace, this type of growth is expected to persist with Cisco projecting that mobile data traffic will grow at a compound annual growth rate (CAGR) of 92% from 2010 to 2015.²²

3. Site Specific Public Need

The Facility proposed in this Application is an integral component of AT&T's network in its FCC licensed areas throughout the state. Currently, a gap in coverage exists in the western portion of Branford and the eastern portion of East Haven in the surrounding shoreline area and local roads. The proposed Facility, in conjunction with other existing and proposed facilities in Branford and East Haven is needed by AT&T to provide its wireless services to people living in and traveling through this area of the state. Attachment 1 of this Application includes a Radio Frequency ("RF") Engineering Report with propagation plots, which identify and demonstrate the specific need for a facility in this area of the State to serve the public and meet its need and demand for wireless services. Verizon also indicated its need for a facility to serve this area of the State and indicated that they may intervene in the proceeding on this Application. In fact, the lack of adequate service in this area of the State was confirmed during the aftermath of Hurricane Irene. Due to the lack of reliable commercial wireless service in this area, AT&T deployed temporary wireless facilities so that emergency services personnel, residents and others assisting with the post hurricane recovery had access to vital communication services.

B. Statement of Benefits

Carriers have seen the public's demand for traditional cellular telephone services in a mobile setting develop into a requirement for anytime-anywhere wireless connectivity with critical reliance

²¹ Cisco Visual Networking Index: Global Mobile Data Traffic Forecast Update, 2010–2015, February 1, 2011.

²² Id.

placed on the ability to send and receive, voice, text, image and video. Provided that network service is available, modern devices allow for interpersonal and internet connectivity, irrespective of whether a user is mobile or stationary, which has led to an increasing percentage of the population to rely on their wireless devices as their primary form of communication for personal, business and emergency needs. The Facility proposed by North Atlantic Towers would allow AT&T and other carriers to provide these benefits to the public that are not offered by any other form of communication system.

Moreover, AT&T will provide “Enhanced 911” services from the Facility, as required by the Wireless Communications and Public Safety Act of 1999, Pub. L. No. 106-81, 113 Stat. 1286 (codified in relevant part at 47 U.S.C. § 222) (“911 Act”). The purpose of this federal legislation was to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress recognized that networks that provide for the rapid, efficient deployment of emergency services would enable faster delivery of emergency care with reduced fatalities and severity of injuries. With each year since passage of the 911 Act, additional anecdotal evidence supports the public safety value of improved wireless communications in aiding lost, ill, or injured individuals, such as motorists and hikers. Carriers are able to help 911 public safety dispatchers identify wireless callers’ geographical locations within several hundred feet, a significant benefit to the community associated with any new wireless site.

In 2009, Connecticut became the first state in the nation to establish a statewide emergency notification system. The CT Alert ENS system utilizes the state Enhanced 911 services database to allow the Connecticut Department of Homeland Security and Connecticut State Police to provide targeted alerts to the public and local emergency response personnel alike during life-threatening emergencies, including potential terrorist attacks, Amber Alerts and natural disasters. Pursuant to the Warning, Alert and Response Network Act, Pub. L. No. 109-437, 120 Stat. 1936 (2006) (codified at 47 U.S.C. § 332(d)(1) (WARN), the FCC has established the Personal Localized Alerting Network

(PLAN). PLAN will require wireless service providers to issue text message alerts from the President of the United States, the U.S. Department of Homeland Security, the Federal Emergency Management Agency and the National Weather Service using their networks that include facilities such as the one proposed in this Application. Telecommunications facilities like the one proposed in this Application enable the public to receive e-mails and text messages from the CT Alert ENS system on their mobile devices. The ability of the public to receive targeted alerts based on their geographic location at any given time represents the next evolution in public safety, which will adapt to unanticipated conditions to save lives.

C. Technological Alternatives

The FCC licenses granted to AT&T authorize it to provide wireless services in this area of the State through deployment of a network of wireless transmitting sites. The proposed Facility is a necessary component of AT&T's wireless network. Closing the coverage gap in this area of the State requires technology that can reach a coverage footprint that spans thousands of acres. Repeaters, microcell transmitters, distributed antenna systems (DAS) and other types of transmitting technologies are not a practicable or feasible means to providing service within the service area for this site. These technologies are better suited for specifically defined areas where new coverage is necessary, such as commercial buildings, shopping malls, and tunnels or highway and urban capacity.

Indeed, as set forth in the DAS Suitability Analysis prepared by C² Systems provided in Attachment 3, due to the coverage limitations inherent to a typical outdoor DAS system, the coverage provided by DAS in this part of the State would be restricted to immediately along the roadways where individual DAS nodes could be located. Accordingly, AT&T has determined that a DAS system would not reliably address the coverage needs in this area of Branford and East Haven which can include offshore areas and that DAS, repeaters, microcell transmitters and other types of

transmitting technologies are not viable as an alternative to the need for a macrocell site in this area of the State. The Applicants submit that there are no effective technological alternatives to construction of a new cell site facility for providing reliable personal wireless services in this area of Connecticut.

IV. Site Selection and Tower Sharing

A. Site Selection

As a tower infrastructure provider, North Atlantic Towers uses its overall knowledge and understanding of existing wireless carrier networks and/or direct consultation with individual carriers to identify areas where wireless services are unreliable. Only when it is clear that a new tower facility will likely be required for reliable services to be provided by the wireless carriers does North Atlantic Towers pursue a tower site search. In conducting a site search, North Atlantic Towers consults with wireless carrier radiofrequency engineers to identify search areas central to the geographic area in which a new tower facility will be required for the provision of coverage and/or capacity in carrier networks.

AT&T agreed to pursue this project jointly with North Atlantic Towers having conducted its own site search in this area and identifying no other reasonable siting opportunities. In any site search area, AT&T seeks to avoid the unnecessary proliferation of towers and to reduce the potential adverse environmental effects of a needed facility, while at the same time ensuring the quality of service provided by the site to users of its network. In this area of Branford and East Haven, there are no such known existing structures suitable for providing reliable service to the public. Of note, AT&T will co-locate on the approved T-Mobile tower (Docket No. 386) located at 123 Pine Orchard Road in Branford and on the approved Verizon facility (Docket No. 413) at Leetes Island Road in Branford to provide service to eastern portions of Branford.

As such, and only after determining that no existing suitable facilities or structures could be used to provide the needed coverage in this area, a search for tower sites was conducted. The search included separate reviews by North Atlantic Towers and AT&T and investigative visits by North Atlantic Towers and AT&T's consultants. The predominant land use in the search area is residential with a large parcel that is held by a land trust for open space. Appropriate tower sites in this area were also limited by the proximity of Tweed New Haven Airport to the west in East Haven. As such, potential tower site candidates were also analyzed in accordance with the FAA's obstruction regulations to avoid the need for marking and lighting any new structure.

North Atlantic Towers and AT&T reviewed several properties in and out of the search area as potential candidates, including several locations suggested by the Town of Branford during the municipal consultation process. The search, which was conducted over several years, resulted in a potential tower site in Branford at 171 Short Beach Road and a potential tower site in East Haven at 82 Short Beach Road, the site of the East Haven Fire Department. These sites represent the only known available and potential tower siting options to serve this area of the State.

B. Tower Sharing

To maximize co-location opportunities and minimize the potential for towers needed by other carriers, both of the proposed candidates provide for monopole tower and facility compounds that can accommodate at least three additional carriers' antenna platforms.

V. **Facility Designs**

A. **171 Short Beach Road, Branford – the “Branford Site”**

North Atlantic Towers leased a 2,500 square foot area on an approximately 0.87 acre parcel of property owned by 171 Short Beach Road Realty, LLC located at 171 Short Beach Road in the Town of Branford. The proposed Facility at the Branford Site would consist of a 120' high self-supporting monopole within a 50' x 50' fenced equipment compound located at the rear portion of

the commercial property adjacent to a wooded area. AT&T would install up to twelve (12) panel antennas on a platform at a centerline height of 120' AGL and unmanned equipment within the compound. The compound would be enclosed by an 8' tall chain link fence.

Both the monopole and the equipment compound are designed to accommodate the facilities of at least three other wireless carriers. Verizon has expressed interest in collocating on the proposed Facility. Vehicle access to the compound will extend north-westerly along an existing paved access drive approximately 240' to the proposed compound. Utilities to serve the proposed Facility would extend from existing utilities adjacent to the proposed compound area. Attachments 4A through 4D contain the specifications for the proposed Facility at the Branford Site including an overall site plan, overall site layout, enlarged site layout, elevation view and details and other relevant details of the proposed Facility at the Branford Site. Also included as Attachment 4C is a Visual Analysis Report. Some of the relevant information included in Attachments 4A through 4D reveals that:

- Though developed commercial, the property is classified locally in the Town of Branford R-4 zoning district;
- Some clearing of the compound area would be required for the construction of the proposed Facility;
- The proposed Facility will have no impact on water flow, water quality, or air quality;
- No wetlands were delineated within 100' of the proposed compound;
- Year-round visibility of the proposed tower above the tree canopy comprises approximately 2,025 acres with visibility over open water accounting for 2,000 of the 2,025 acres (99%);
and
- The State Historic Preservation Officer (SHPO) issued a "no effect" determination for the proposed Facility.

B. 82 Short Beach Road, East Haven – the “East Haven Site”

North Atlantic Towers leased a 2,500 square foot area in the south-west portion of an approximately 0.91 acre parcel of property owned by the Riverside Volunteer Fire Department located at 82 Short Beach Road in the Town of East Haven. The proposed Facility at the East Haven Site would consist of a 103’ high self-supporting monopole within a 2,500 square-foot fenced equipment compound. AT&T would install up to twelve (12) panel antennas on a platform at a centerline height of 100’ AGL and unmanned equipment within the compound. The compound would be enclosed by an 8’ tall chain link fence. Both the monopole and the equipment compound are designed to accommodate the facilities of at least three other wireless carriers. Verizon has expressed interest in collocating its facility at the proposed East Haven site. Vehicle access to the compound will extend from Short Beach Road along the western side of the existing parking lot a distance of approximately 150’. Utilities to serve the proposed Facility would extend from existing utilities on Short Beach Road. Attachments 5A through 5D contain the specifications for the proposed Facility at the East Haven Site including an overall site plan, overall site layout, enlarged site layout, elevation view and details and other relevant details of the proposed Facility at the East Haven Site. Also included as Attachment 5C is a Visual Analysis Report. Some of the relevant information included in Attachments 5A through 5D reveals that:

- The property is classified locally in the Town of East Haven R-1 residential zoning district;
- Some clearing of the compound area would be required for the construction of the proposed Facility;
- The proposed Facility will have no impact on water flow, water quality, or air quality;
- No wetlands were delineated within 100’ of the proposed compound;

- Year-round visibility of the proposed tower above the tree canopy comprises approximately 1,446 acres with visibility over open water accounting for 1,362 of the 1,446 acres, (94%); and
- The State Historic Preservation Officer (SHPO) issued a "no effect" determination for the proposed Facility after a facility height reduction.

VI. Environmental Compatibility

Pursuant to CGS Section 16-50p, the Council is required to find and to determine as part of the Application process any probable environmental impact of the facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forest and parks, air and water purity and fish and wildlife. As demonstrated in this Application and the accompanying Attachments and documentation, the proposed Facility at either candidate site will not have a significant adverse environmental impact and/or any such effects are unavoidable in this area of the State in providing reliable service to the public.

A. Visual Assessments

Weather permitting, the Applicants will raise a balloon with a diameter of at least three (3) feet at each of the proposed candidate facility sites on the day of the Council's first hearing session on this Application, or at a time otherwise specified by the Council. Included in Attachments 4C and 5C are Visual Evaluation Reports for each candidate site. Each Visual Evaluation Report contains a viewshed map and photosimulations of off-site views.

It is anticipated that areas of visibility for the proposed 120' tall monopole at the Branford Site will occur within the immediate vicinity of the site and over open water on Long Island Sound. Within the over 8,000 acre study area (two mile radius), year-round visibility of the proposed 120' tall Branford Site tower above the tree canopy comprises approximately 2,025 acres with visibility over open water accounting for 2,000 of the 2,025 acres. As shown in the visual materials included in Attachment 4C, potential views from the water would be limited both in terms of their overall

extent and degree to which the Facility will be visible above the tree canopy. In addition, Attachment 4C contains an assessment of the potential stealth design options provided to the Town of Branford at their request. This assessment includes a description of the stealth options appropriate for the proposed 120' tall Branford Site Facility and photographs depicting stealth option examples.

As noted herein, the height of the proposed East Haven Site Facility was reduced to 103' through consultation with the SHPO. The majority of visibility of the proposed 103' tall monopole at the East Haven Site will occur over open water on portions of Long Island Sound. Year-round visibility of the proposed 103' tall East Haven Site tower above the tree canopy comprises approximately 1,446 acres with visibility over open water accounting for 1,362 acres or 94% of the anticipated year-round visibility. As shown in the visual materials included in Attachment 5C, other areas of potential visibility within the over 8,000 acre study area include approximately 30 acres along select portions of Route 142, Fairview Avenue, Hilda Street, Vera Street, Hilton Avenue, Jefferson Place, River Street, Highland Avenue and Brown Road. The Visual Evaluation Report also notes that limited views may also extend to select portions of the Shoreline Greenway Trail and portions of the Farm River State Park.

B. Historical and Habitat Assessments

Various consultations with municipal, State and Federal governmental entities and the Applicants' consultant reviews for potential environmental impacts are summarized and included in Attachments 4 and 5. North Atlantic Towers submitted requests for review for both the Branford and East Haven Sites from Federal, State and Tribal entities including the United States Fish & Wildlife (USFW) Service, the Connecticut State Historic Preservation Officer (SHPO) and the Department of Energy & Environmental Protection (DEEP).

For the Branford Site, upon review, SHPO issued a "no effect" determination on October 4, 2010. A copy of SHPO's determination is included in Attachment 4D.

Through consultation with the SHPO, the height of the East Haven Site Facility was reduced to 103' AGL to avoid potential effects to the Branford Electric Railway Historic District. Attachment 5D includes the SHPO no adverse effect determination for the 103' tall East Haven Facility.

For the Branford Site, no endangered or threatened species habitats were identified based on a review of the Connecticut Department of Energy & Environmental Protection (DEEP) Natural Diversity Database ("NDDDB") and the relevant NDDDB Map is included in Attachment 4D.

For the East Haven Site, in correspondence dated July 12, 2011, the DEEP indicated that that the proposed Facility will not impact any extant populations of Federal or State Endangered, Threatened or Special Concern species. A copy of the July 12, 2011 DEEP determination is included in Attachment 5D.

As required, this Application is being served on State and local agencies which may choose to comment on the Application prior to the close of the Siting Council's public hearing.

C. Power Densities

In August 1996, the FCC adopted a standard for exposure to Radio Frequency ("RF") emissions from telecommunications facilities like those proposed in this Application. To ensure compliance with applicable standards, a maximum power density report for the Branford Site and the East Haven Site was produced by C² Systems and is included herein as part of Attachments 4B and 5B. As demonstrated in the attached reports, the calculated worst-case emissions from the Branford Site and East Haven Site are only 1.19% and 1.76% of the MPE standard, respectively.

D. Coastal Consistency Analyses

On behalf of North Atlantic Towers, Infinigy Engineering performed a review of consistency with the criteria of the Connecticut Coastal Management Act (CGS §§22a-90 through 22a-112) for both the Branford Site and the East Haven Site. As demonstrated in the Coastal Consistency Analyses included in Attachments 4B and 5B, the proposed Facility at either candidate Site will not

result in adverse impacts to coastal resources as defined within the Connecticut Coastal Management Act.

E. Other Environmental Factors

At either site, the proposed Facility would be unmanned, requiring monthly maintenance visits approximately one hour long. AT&T's equipment at the Facility would be monitored 24 hours a day, seven days a week from a remote location. The proposed Facility does not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, the proposed Facility will not generally create or emit any smoke, gas, dust or other air contaminants, noise, odors or vibrations other than installed heating and ventilation equipment. Temporary power outages could require the limited use of emergency generators on site and provisions have been made for a permanent on-site diesel generator. Overall, the construction and operation of the proposed Facility will have no significant impact on the air, water, or noise quality of the area.

The Federal Aviation Administration ("FAA") determined that the proposed Facility at the Branford Site or the East Haven Site is not a potential air navigation obstruction or hazard. As such, no FAA lighting or marking would be required for the tower proposed at either Site in this Application. Copies of the FAA determinations are included in Attachments 4A and 5A.

North Atlantic Towers has evaluated the Branford Site and the East Haven Site in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA"). Neither Site was identified as a wilderness area, wildlife preserve, National Park, National Forest, National Parkway, Scenic River, State Forest, State Designated Scenic River or State Gameland. Further, according to the site survey and field investigations, no Federally regulated wetlands or watercourses or threatened or endangered species will be impacted by the proposed Facility at either Site location. Federal Emergency Management Agency ("FEMA") Flood Insurance Rate Maps of

the Branford Site and the East Haven Site indicate that neither Site is located within a 100 year or 500 year floodplain.

VII. Consistency with Local Land Use Regulations

Pursuant to the Council's Application Guide, included in this section is a narrative summary of the consistency of the project with the local municipality's zoning and wetland regulations and plan of conservation and development. A description of the zoning classification of each of the Sites and the planned and existing uses of each of the proposed Site locations are also detailed in this Section.

A. Consistency with the Town of Branford's Local Land Use Regulations

i. Branford's Plan of Conservation and Development

Branford's 2008 Plan of Conservation and Development, a copy of which is included in Section 1 of Volume 1 of the Bulk Filing, briefly addresses wireless telecommunication facilities in the chapter titled, Utilities (See, Bulk Filing, Vol. 1, Section 1, Chapter 12, page 85). The plan notes that wireless services area available throughout the Town, "although service is poor in some areas." (See, Bulk Filing, Vol. 1, Section 1, page 86). It is respectfully submitted that western portions as along the shoreline is one area in Branford where wireless service is currently lacking.

ii. Branford's Zoning Regulations and Zoning Classification

The Branford Site is classified in the Town of Branford's R-4 Residential Zoning District. Telecommunications facilities involving the construction of a new tower are prohibited in all residential zoning districts. New tower facilities require special exception approval in the commercial and industrial zoning districts. Co-located facilities are permitted in all zoning districts and are subject to site plan approval. (See Town of Branford Zoning Regulations Applicant's Bulk Filing, Vol. 1, Section 2 and Town of Branford Zoning Map, Applicant's Bulk Filing, Vol. 1, Section 3). The area surrounding the proposed Branford Site is residentially zoned with the closest business

zone area approximately one-half mile to the southeast along the shoreline. As set forth in detail above in Section IV, Site Selection and Tower Sharing and in the materials included in Attachment 2, other than the sites proposed in this Application, there are no feasible locations classified in non-residential zoning districts for the siting of the needed Facility and no existing facilities are located within the area where service is needed. As such, sites in non-residential zoning districts are unavailable or would not meet AT&T's coverage objectives. Of note, the Zoning Regulations also limit the total number of communications tower in the Town to a maximum of eight (8), for which there is no known supporting rationale.

Section 36.12.1 of the Zoning Regulations set forth the standards for antennas and towers and the consistency of the proposed Facility with these standards is illustrated in the table below. The first two columns include the requirements of the Zoning Regulations and the third column applies these standards to the proposed Facility at the Branford Site.

iii. Branford Local Zoning Standards and Dimensional Requirements

Section from the Zoning Regulations	Standard or Preference	Proposed Branford Site Facility
36.12.1(a) Siting Preference	On existing structures such as buildings or existing towers.	There are no existing buildings, towers or telecommunication facilities in the area tall enough to host a facility to serve the coverage area targeted.
36.12.1(c) Designed for Co-location	Proposed new communication towers shall be designed to accommodate at least 2 additional users; the applicant shall provide for co-location of municipal antennae at no charge to the Town.	The proposed Facility is designed to accommodate three (3) additional carriers' facilities. Free space on the proposed Facility was offered to the Town.
36.12.1.d Fencing & Landscaping	New tower facilities shall be surrounded by a fence no higher than 6 feet. The site shall be landscaped to mitigate any adverse aesthetic impact.	As proposed, the tower and equipment compound would be enclosed by an 8-foot tall fence. A six-foot tall fence could be considered by the Council.
36.12.1.e Lighting	No lighting allowed except where required for public safety	The proposed tower does not require lighting or marking per the FAA.
36.12.1.f Signage	Commercial signage is not permitted.	No commercial signage is proposed.

Section from the Zoning Regulations	Standard or Preference	Proposed Branford Site Facility
36.12.1.g Height	No tower shall exceed the height required to satisfy technical requirements of the users and no tower shall exceed 150 feet.	The proposed height of the monopole is 120' AGL to accommodate AT&T's need and provide for co-location.
36.12.1.i Setbacks	All wireless telecommunications facilities shall comply with the setback requirements of the district in which they are located. R-4 setbacks: minimum front yard: 40' minimum rear yard: 50' minimum side yard: 20'	Proposed monopole setbacks: front yard: approximately 247' rear yard: approximately 14' side yard: approximately 41' and 119' Proposed equipment compound setbacks: front yard: approximately 207' rear yard: approximately 3' side yard: approximately 10' and 93' (Note: the property that abuts the site to the north will remain undeveloped).
36.12.1.k Finish	All telecommunications towers shall have a galvanized finish or painted a neutral color.	The proposed Facility consists of a self-supporting monopole. Any finish or color will be considered by the Siting Council as part of the Application process.
36.12.1.l Removal	Any telecommunications facility which is not used or maintained for a period of twelve (12) consecutive months shall be removed at the owner's expense.	Certificates issued by the Siting Council contain a provision requiring removal of abandoned or unused facilities.

iv. Planned and Existing Land Uses

The proposed Branford Site Facility will be located on an approximately 0.87 acre parcel improved with a commercial building and parking area. Properties immediately surrounding the subject site include a large parcel held by a land trust for open space and light commercial uses. Residential uses otherwise predominate the area. Consultation with municipal officials did not indicate any planned changes to the existing or surrounding land uses. A copy of Branford's Zoning Map is included in Volume 1 of the Bulk Filing.

v. Branford's Inland Wetlands and Watercourses Regulations

The Town of Branford's Inland Wetlands and Watercourses Regulations ("Local Wetlands Regulations") regulate certain activities conducted in "Wetlands" and "Watercourses" as defined therein. No wetlands were delineated within 100 feet of the proposed equipment compound at the

Branford Site. As such, no wetland impacts are anticipated. All appropriate sediment and erosion control measures will be designed and employed in accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council of Soil and Water Conservation. Soil erosion control measures and other best management practices will be established and maintained throughout the construction of the proposed Facility. Included in Attachment 4B is a Wetlands Delineation Report for the site.

B. Consistency with the Town of East Haven's Local Land Use Regulations

i. Town of East Haven's Plan of Conservation and Development

East Haven's 2007 Plan of Conservation and Development, a copy of which is included in Section 1 of Volume 2 of the Bulk Filing, does not specifically address wireless telecommunication facilities. Nevertheless, it is respectfully submitted that the proposed Facility will enhance the Plan's goal of encouraging growth and enhancement by providing critical wireless services to an area that is currently not served.

ii. East Haven's Zoning Regulations and Zoning Classification

The East Haven Site is classified in the Town of East Haven's R-1 Residential Zoning District. Telecommunications facilities involving the construction of a new tower require special exception approval in residential, commercial and industrial zoning districts. Wireless facilities are prohibited in all Design Residence Districts, Planned Development Districts and Planned Elderly Facilities District. Communication towers on Town-owned property for use by the Town are considered permitted uses and may be subject to site plan approval. (See Town of East Haven Regulations Applicant's Bulk Filing, Vol. 2, Section 2 and Town of East Haven Zoning Map, Applicant's Bulk Filing, Vol. 2, Section 3).

Sections 49.6 and 49.7 of the Zoning Regulations set forth the standards for antennas and towers and the consistency of the proposed Facility with these standards is illustrated in the table

below. The first two columns include the requirements of the Zoning Regulations and the third column applies these standards to the proposed Facility.

iii. East Haven Local Zoning Standards and Dimensional Requirements

Section from the Zoning Regulations	Standard or Preference	Proposed East Haven Site Facility
49.6.1 Fencing	All towers and ground equipment shall be surrounded by a decorative fence not higher than 8'.	As proposed, the tower and equipment compound would be enclosed by an 8-foot tall fence.
49.6.2 Landscaping	The site shall be suitably landscaped and existing vegetation, topography, walls, fencing or other features may be permitted in lieu of landscaping.	As proposed, the tower and equipment compound would be enclosed by an 8-foot tall fence. Existing vegetation provides additional screening.
49.6.3 Illumination	No lighting allowed except where required by the FAA.	The proposed tower does not require lighting or marking per the FAA.
49.6.4 Signage	Commercial signage is not permitted.	No commercial signage is proposed.
49.6.5 Antenna Height	No tower shall exceed the height required to satisfy technical requirements of the users and no tower shall exceed 100 feet in any residence zone.	The proposed height of the monopole is 103' AGL to accommodate AT&T's need and provide for co-location.
49.6.6 Setbacks	All towers shall comply with the setback requirements of the district in which they are located or 30 % of the height of the tower or 40 feet, whichever is greatest. R-1 setbacks: minimum front yard: 25' minimum rear yard: 20' minimum side yard: 10' 30% of 103'=30.9'	Proposed monopole setbacks: front yard: approximately 145' rear yard: approximately 58' side yard: approximately 36' and 80' Proposed equipment compound setbacks: front yard: approximately 150' rear yard: approximately 50' side yard: approximately 18' and 99'
49.6.7 Color	All telecommunications towers shall be of a neutral color.	The proposed Facility consists of a self-supporting monopole. Any finish or color will be considered by the Siting Council as part of the Application process.
49.6.8 Professional Certification	All site plans and tower designs shall bear the seal of an appropriate Professional Engineer.	All D&M plans and reports will be certified by a Professional Engineer.

Section from the Zoning Regulations	Standard or Preference	Proposed East Haven Site Facility
49.6.9 Abandonment	Any wireless facility which is not used or maintained for a period of 6 months shall be removed.	Certificates issued by the Siting Council contain a provision requiring removal of abandoned or unused facilities.
49.7.1 Joint Use Accommodation	All proposed towers shall be designed to accommodate at least two additional users.	The proposed Facility will be designed to accommodate 3 additional carriers' facilities.

iv. Planned and Existing Land Uses

The proposed East Haven Site Facility will be located on an approximately 0.91 acre parcel improved with the fire house building and parking area. Properties immediately surrounding the subject site include residential uses. Consultation with municipal officials did not indicate any planned changes to the existing or surrounding land uses. A copy of East Haven's Zoning Map is included in Volume 2 of the Bulk Filing.

v. East Haven's Inland Wetlands and Watercourses Regulations

The Town of East Haven's Inland Wetlands and Watercourses Regulations ("Local Wetlands Regulations") regulate certain activities conducted in "Wetlands" and "Watercourses" as defined therein. No wetlands were delineated within 100 feet of the proposed equipment compound at the East Haven site. As such, no wetland impacts are anticipated. All appropriate sediment and erosion control measures will be designed and employed in accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council of Soil and Water Conservation. Soil erosion control measures and other best management practices will be established and maintained throughout the construction of the proposed Facility. Included in Attachment 5B is a Wetlands Delineation Report for the site.

VIII. Consultations with Local Officials

CGS Section 16-50l(e) requires an applicant to consult with the municipality in which a proposed facility may be located and with any adjoining municipality having a boundary of 2,500

feet from the proposed facility concerning the proposed facility. As noted above, a Technical Report detailing the Branford Site at 171 Short Beach Road was filed with the Town of Branford on July 30, 2010. In response to follow up calls regarding the Branford Site Technical Report, the Branford First Selectman's office advised on August 31, 2010 that the Technical Report was being reviewed by the Town's Telecommunications Committee. Additional correspondence was sent to the Branford First Selectman on September 7, 2010, requesting a meeting to discuss North Atlantic Tower's and AT&T's Branford Site proposal in more detail.

Representatives from AT&T and North Atlantic Towers were invited by representatives of the Town's Telecommunications Committee to participate in a multi-carrier meeting with representatives from Verizon Wireless and T-Mobile. This meeting was held on October 8, 2010. Representatives from the Town's Telecommunications Committee and Economic Development Office attended along with representatives of AT&T and North Atlantic Towers. Discussions centered on the siting council process, the needs of the carriers for providing service to the shore areas of Branford and current proposals by the carriers were reviewed in general. The Town representatives at this meeting did not have specific questions or comments regarding the Branford Site Facility.

Subsequent to the October 8, 2010 meeting, a letter was submitted to the Town of Branford on November 1, 2010, advising the Town that the Applicants were assembling the Application for submission and requesting that the Town provide comments, if any, on the proposal. In addition, North Atlantic Towers agreed to provide space on its facility for municipal equipment free of charge. The Town of Branford did not provide any specific comments or preferences for purposes of Section 16-50gg in response to the Applicants November 1, 2010 letter. As such, the Applicants assembled their Application for the Branford Site, published notice of intent to file on or about November 23, 2010 and submitted the required notice to abutters.

The Town of Branford subsequently requested a community meeting which was held on November 22, 2010. At this community meeting, representatives of the Applicants presented the details of the proposed Branford Site Facility, including need, site selection and visibility and answered questions from members of the public and Town representatives in attendance. After the community meeting, in a letter dated November 23, 2010, the Town requested that the Applicants delay submission of their Application to the Siting Council so that the Town could identify potential alternatives. In response, the Applicants agreed to delay the filing of the Application.

During this time, in correspondence dated December 6, 2011, December 22, 2011 and December 29, 2011, the Town of Branford requested information on the viability of alternative sites, including the Town-owned Orchard House property, which was previously reviewed by the Applicants. The Town also requested information regarding potential design options for the proposed Facility.

The Applicants reviewed all suggested alternatives. While the Town-owned Orchard House property was an RF viable alternative, the Town of Branford did not pursue lease negotiations for this location. The only other location suggested by the Town of Branford that was viable was the East Haven Riverside Volunteer Fire Department location, the alternative site candidate presented in this Application. In addition to investigating all suggested alternatives, the Applicants provided Branford with visual materials of the potential design options appropriate for the Branford Site.

Then the Applicants pursued the East Haven Riverside Volunteer Fire Department location at 82 Short Beach Road as a potential alternative site. North Atlantic Towers secured a lease for a proposed tower facility at the East Haven Site and the Applicants developed plans for a proposed facility. On June 14, 2011, the Applicants submitted a Technical Report detailing the East Haven Site Facility to the Towns of East Haven and Branford. On August 15, 2011, representatives of the Applicants met with the East Haven Mayor, Town Planning & Zoning Administrator, Town Manager and the Fire Chief to discuss the proposed Facility and review the Siting Council procedures. At this

meeting, the Town of East Haven requested that the Applicants coordinate an information session for the community. Shortly after this meeting, on August 27, 2011, Hurricane Irene landed and caused significant damage to the East Haven community. Understanding the consequences of the hurricane, the Applicants deferred the municipal consultation process and coordination of the requested community meeting.

In the fall of 2011, the Applicants continued the due diligence review of the East Haven Site Facility. During this time, consultation with the SHPO resulted in a redesign of the proposed East Haven Site Facility with a reduction in height to 103' AGL. After the redesign, given the proximity of the Tweed New Haven Airport to the site, the Applicants sought confirmation from the FAA that the proposed East Haven site Facility would not require marking and/or lighting.

After the FAA confirmed that marking and/or lighting would not be required for the redesigned East Haven Site Facility, the Applicants resumed the municipal consultation that was interrupted by Hurricane Irene. Representatives of the Applicants contacted the East Haven Planning & Zoning Administrator and coordinated a community meeting for March 15, 2012. Details of the redesigned East Haven Site Facility along with the FAA determination for the East Haven Site Facility were forwarded to the Mayor of East Haven and the First Selectman of Branford on February 29, 2012. At the March 15, 2012 community meeting, representatives of the Applicants presented the details of the proposed East Haven Site Facility, including need, site selection and visibility and answered questions from members of the public in attendance.

After the March 15, 2012 community meeting, the Applicants did not receive any other or additional comments on either of the proposed Facility sites from East Haven or Branford.

Copies of all correspondence with the Towns of Branford and East Haven are included in Attachment 6.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the Branford Site Facility is \$186,750. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$75,000;
- (2) Site development costs of approximately \$11,250;
- (3) Utility installation costs of approximately \$7,500; and
- (4) Facility installation costs of approximately \$93,000.

The total estimated cost of construction for the East Haven Site Facility is \$226,750. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$75,000;
- (2) Site development costs of approximately \$51,250;
- (3) Utility installation costs of approximately \$7,500; and
- (4) Facility installation costs of approximately \$93,000.

B. Overall Scheduling

Site preparation work would commence following Council approval of a Development and Management (“D&M”) Plan and the issuance of a Building Permit. The site preparation phase is expected to be completed within four to five weeks. Installation of the monopole, antennas and associated equipment is expected to take an additional two weeks. The duration of the total construction schedule is approximately seven weeks. Facility integration and system testing is expected to require an additional two weeks after the construction is completed.

X. Conclusion

This Application and the accompanying materials and documentation clearly demonstrate that a public need exists in the western portion of Branford and eastern portion of East Haven along the shoreline area for the provision of AT&T's wireless services to the public. The foregoing information and attachments also demonstrate that either proposed Facility at the Branford Site at 171 Short Beach Road or the East Haven Site at 82 Short Beach Road will not have any substantial adverse environmental effects. The Applicants respectfully submit that the public need for one (1) of the proposed Facilities outweighs any potential environmental effects resulting from the construction of the proposed Facility such that a Certificate of Environmental Compatibility and Public Need should be issued to North Atlantic Towers for one (1) of the proposed wireless telecommunications facilities at either 171 Short Beach Road in the Town of Branford or 82 Short Beach Road in the Town of East Haven.

Respectfully Submitted,

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